

MINUTES

UTAH BOARD OF MASSAGE THERAPY Meeting

July 19th, 2011

**Room 464 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:03 a.m.

ADJOURNED: 11:56 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

Sharon Muir, Chairperson
Hal Morrell
Carolyn Redington
Craig Sauer

Board Members Excused:

Jennifer Hanna

Guests:

Roger Olbrot, Myotherapy College of Utah
Thomas L. Shurtz, Caroline Hanlin's Guest
Aaron Thomas Keefe's son (unknown name)

DOPL Staff Present:

Neena Bowen, Compliance Specialist

ADMINISTRATIVE BUSINESS:

DISCUSSION:

Scott K. Morrison's Stipulation and Order

DECISIONS AND RECOMMENDATIONS

The Board discussed Mr. Morrison's Stipulation and Order. The Board determined not to alter the terms of Mr. Morrison's Order at this time. The Board also determined he should have alternate chaperones in case one was unable to be there when female patients were scheduled. The alternate chaperones should meet with and be approved by the Board.

MINUTES:

The minutes from the May 17th, 2011 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Morrell, to approve the minutes with corrections. The motion passed unanimously.

COMPLIANCE REPORT:

Neena Bowen, Compliance Specialist

Ms. Bowen gave the report on the probationers being seen today.

PROBATION INTERVIEWS:

Corrine Shaffer – Letter

Ms. Muir read a letter from Ms. Shaffer requesting early release from probation. The Board noted she has

Corrine Shaffer (continued)

been exceptionally compliant. The Board noted she was excused from this meeting to be home with her new baby. Ms. Redington made a motion that her MOU be amended to terminate probation, seconded by Mr. Sauer. The motion passed unanimously.

Jennifer Anna Boley

Ms. Redington interviewed Ms. Boley. She stated things are going great. There were two times she has not worked her full number of required hours, trying to enjoy the summer. She stated she was not working at Frontier as they did not have too many hours. She stated she is helping out at her grandfather's and family's farm. She is dating a guy who works for Apple and good things are happening. She stated she is getting involved with Zena, a new employee, as a way to get more clients. The Board noted her next employer report is due September 1st, 2011. The Board noted she can pick and choose and she has made her choices. She stated she does not have a lot of bills right now. She stated she is trading massages for dental work. The Board requested to see her again at the September 20th, 2011 meeting. **Compliant**

Meghan Marie Elvin

Ms. Muir interviewed Ms. Elvin. She stated she is working three jobs, at Massage Envy, Park City and UCMT on weekends. She stated she has completed counseling; it was a good experience for her. She has signed up for testing, she stated she did miss a call on Sunday. She stated she will not miss a call again. Every time she looked at her phone a wave of anxiety swept over her. The Board suggested if she is working more than 40 hours per week she is hurting herself. The Board stated she needs time to take care of herself. The Board requested to see her again at the September 20th, 2011 meeting. **Compliant**

Caroline Cluff Hanlin

Mr. Sauer interviewed Ms. Hanlin. She stated she did not know how she had three "positive" results. The Board noted that only one result was "positive", one was "out of range" and one was "dilute". She stated she had been fishing out in the sun and drinking water and tons of raspberry tea. She stated she had gotten her two month chip from AA and that was her proof. The Board checked the times of her test and suggested she get in early for testing, so testing does not show as "dilute". The "out of range" could be a concentrated reading. The Board determined due to the times she

Caroline Cluff Hanlin (continued)

had tested she had given a viable reason. Her friend, the 'expert fisherman' Tom Shurts, vouched for her not drinking. He stated he has been with her almost constantly. She stated she is not drinking anymore. The Board requested to see her at the September 20th, 2011 meeting. **Non-compliant**

Aaron Thomas Keefe

Mr. Morrell interviewed Mr. Keefe. He brought his son with him. He stated he has been busy working at Kimberly Clark and has started to go to school. He stated he stepped down from crew management, took a pay-cut to make the time to go back to school. The Board noted he had missed one phone call. In August the Division will change testing providers to Affinity. Affinity will be open so he can call anytime before 5:00 p.m. He stated he has been making calls. He stated he has been thinking about massage, that he needs to practice so he might cut hours at work down to one day a week to do massage as he is currently going to school to be yoga instructor. The Board requested to see him September 20th, 2011 meeting. **Compliant**

Scott K Morrison

Ms. Muir interviewed Mr. Morrison. The Board noted he brought in the consent form, the book and instructional CD he was using. Ms. Muir read the consent form to the Board. The Board noted that he should have the reason for the breast massage, with the Massage Therapy Practice Act Subsection noted on the consent form, not attached. The Board suggested Mr. Morrison have an alternate approved chaperone. If female patients were scheduled, and one chaperone could not make it, the Board did not want Mr. Morrison to have to cancel any prospective clients. The Board stated they have reviewed his stipulation, and that they will not recommend any changes to the MOU. Mr. Morrison stated that if Kathryn Hawkins is not available the massage appointment would be canceled. Ms. Redington made a motion; seconded by Mr. Morrell, that Ms. Hawkins be approved as a chaperone for Mr. Morrison, with the understanding he would reschedule any female client when she could not be present. The motion passed unanimously. The Board requested Mr. Morrison e-mail Ms. Bowen the name of the Ethics and Boundaries Course he plans to take. He stated he has a Home Business licensed in Sandy. He stated on average in a week time he see 10-15 different

Scott K Morrison (continued)

Roger Lee Newcomb (Non-disciplinary Order)

people. Kathryn Hawkins is filling out the supervisor report. He stated his charges are of a very sensitive nature. He apologized for how he came off at the last Board meeting. The Board requested to see him again at the September 20th, 2011. **Compliant**

Ms. Muir interviewed Mr. Newcomb. He stated he was in a state of transition right now, he still has not been paid for clients he has finished. He has hooked up with some Chiropractic offices in Sandy. When he is on the internet looking for employment, if he notices the ads says women and he flags it; or if they want someone for sensual massage, he flags those ads too. Once he flags an ad, Craig's list will look at it and determine if the ad should be blocked. He stated he noticed there are some massage opportunities outside of the country. He also stated his dog is his only friend. He stated he doesn't want to put his dog through that much of a move. The Board noted he could go to Idaho and help a friend out. He would need to send a letter requesting his license and probation be suspended here in Utah. His first choice would be to stay here in Utah. He knows The Grand Hotel is looking for Massage Therapists. He stated he has been doing some work through Labor Ready. The client signs a lien stating that if their insurance doesn't pay the client agrees to pay. The company has only one physician who only allows clients to continue getting massages if clients get the Osteopathic Physician's trigger-point injections. The license stated limited active, meaning he is not on probation. The Board requested to see him again at the November 15th, 2011 meeting. **Compliant**

Ronald J. Stoddard

Mr. Stoddard did not come in for his appointment with the Board. It was reported to the Board he had been black-listed because he was a probationer. The Board requested the Compliance Unit send a non-compliance letter. The Board requested to see him at the September 20th, 2011 meeting. **Non-compliant**

Charla Michele Tuttle

Ms. Redington interviewed Ms. Tuttle by telephone. She lives in Enoch, Utah. She stated she owns her house and is not moving. She has her driver's license back and she is working at The Red Leaf Spa, but that in Spring and Fall the clientele is a little slow. She has requested to be scheduled more. She has completed the Prime for Life course. She stated she had to get an interlock device installed in her car and must do that

Charla Michele Tuttle (continued)

until November 2011. The Board requested she stay compliant. The Board requested to interview her by phone at the September 20th, 2011 meeting. **Compliant**

Kevin L. Rock

Mr. Sauer interviewed Mr. Rock. He stated things are going good and he has changed his client list a bit. He stated he was currently working at Jordan Commons. He stated he was just doing massage on weekends, as one of the other therapists passed way. Mr. Rock picked up additional clients, plus they just made him a Scout Master and he is very busy. He stated he plans to submit paperwork for early release from probation. The Board requested to see him at the January 2012 meeting. **Compliant**

NEW DISCIPLINARY ORDERS:

Heather Holmes

Mr. Sauer interviewed Ms. Holmes. Mr. Sauer stated she has an interesting list of charges. She stated she has been clean for four (4) years. She started Massage Therapy classes and had to take a leave of absence to have a baby and then went back to massage school and graduated. The compliance unit stated they would sign her up with the new testing agency. She has had UCMT send out a lot of her resumes. She is hoping by next month she will have a job and some money to pay for the testing. The Board noted she is going to be coming to visit with us for awhile. The Board told her that when she didn't feel like complying; to hang in there. She said she knows now when she needs her support system. The Board recommended to hang on to her support group like a life preserver. The Board stated her information from Affinity may be in her mailbox now. The Board noted that despite her MOU and probation there are massage therapy places that will hire. She stated she has been mailing out resumes, and the Board told her to be sure and follow up with a phone call or even go in person. The Board requested to see her at the September 20th, 2011 meeting. **Compliant**

DISCUSSION ITEMS:

Rule Changes

The Rule Hearing on the proposed changes is scheduled for August 1st, 2011 at 11:00 a.m. in room 474. The Division has received no public comments as of this time. The Board discussed an additional rule change to possibly make an equitable correction with regard to applicants educated in-state and out-of-state. The Board recommended getting the changes in the current rule completed first. Another item the Board

Rule Changes (continued)

discussed was to clarify the verbiage on work experience hours required to be a Massage Therapist Supervisor. The Board discussed how the COMTA accrediting body is looking at possible online training. The Board may want to stay aware of that situation and possibly make the additional changes.

NEXT SCHEDULED MEETING:

Tuesday, September 20th, 2011

ADJOURN:

11:56 a.m. (no motion required)

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

09-20-2011

Date Approved

(ss) Sharon Muir, Chairperson

Board of Massage Therapy

09-20-2011

Date Approved

(ss) Sally A. Stewart, Bureau 2 Manager

Division of Occupational & Professional Licensing